

REMARKS

Applicants acknowledge the Examiner's withdrawal of claims 61-83 in response to the election, leaving claims 84-97 subject to continued examination.

Obviousness Rejection

Claims 84-87, 92-95 and 97 have been rejected under 35 U.S.C. §103 as obvious over Fischer (either US 4,794,028 or US 4,872,243) in view of Studer (US 3,230,134). The Examiner acknowledges that Fischer does not teach introducing a running length of a sheet material into the molding nip, but relies on Struder as teaching "introducing a running length of a sheet material to a molten plastic under pressure wherein the sheet becomes an integral part of a base portion," citing col. 2, lines 14-16 and Figs. 1, 2 and 6. Applicants respectfully disagree with the basis of this rejection, and request reconsideration for at least the following reasons.

At the time of the invention, the Fischer process was a known method of molding fastener products. This process, as described in the cited Fischer references, was known to involve extruding moldable resin into a nip between two counter-rotating rolls where, under intense pressure, some of the resin is forced into very small cavities defined in the periphery of one of the rolls. The molded resin then travels about the mold roll as it is chilled, thereby solidifying the molded projections before they are stripped from their individual cavities. Nip pressure, roll temperature, resin temperature, extrusion rates, roll speeds and other process parameters must be maintained within specific ranges across the width of the product to ensure that cavities appropriately fill and that the resin cools sufficiently before removal that pieces of resin do not break off and remain stuck in the cavities.

The mold roll structure disclosed in Fischer, and in use at the time of this invention, consists essentially of a great number (e.g., thousands) of thin mold rings, stacked coaxially about a central mandrel and held together under intense pressure to avoid excessive flashing. Each ring may have hundreds of individually machined cavities about its rim, and may be as thin as the width of one fastener element. Complete sets of such rings are, understandably, very

expensive, and care must be taken during use to avoid even incidental contact between the mold roll and the other counter-rotating roll, to avoid severe mold roll damage.

Because of the sensitivity of the projection molding process to variations in nip parameters, as understood at the time of the invention, Applicants maintain that it would not have been at all obvious, to one of ordinary skill in this art, to introduce anything other than the moldable resin, such as a preformed material, to the Fischer molding nip.

Studer discloses nothing to the contrary. Studer's only 'nip' is between two flat rolls 17 and 18, and functions only to laminate two materials, one with interstices and one backing sheet, such as film or paper, with a layer of plastigel between them. Rolls 17 and 18 perform no sensitive molding function, and do not even apply significant pressure to the laminate. Rather, the rolls are spaced apart to determine laminate thickness (see, e.g., col. 2, lines 36-43) and the pressure to force the plastigel through the interstices of the top sheet to form protrusions is applied by either passing the laminate under tension around a downstream roll 21 (col. 2, lines 64-71), or by air pressure (col. 3, lines 42-54), or even manually by spreading plastigel against the top sheet and forcing it through the interstices with a spatula (col. 3, lines 55-59). There is simply nothing in Studer's disclosure that would suggest to one of ordinary skill in the art that a preformed sheet could be added to Fischer's projection molding nip, or that would provide any indication that such a modification would not detrimentally impact the sensitive projection molding process occurring in the nip.

Double Patenting Rejection

All of claims 84-97 have been rejected under the judicially created obviousness-type double patenting doctrine, over claims 1-13 of US 5,744,080 and claims 1-20 of US 5,260,015. Applicants note their intention to file a proper terminal disclaimer to obviate this rejection, should other barriers to patentability be overcome, and ask that this rejection be stayed until such time.

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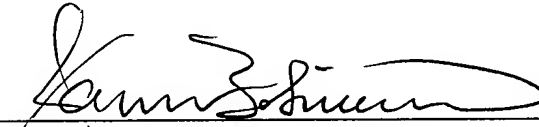
Attorney's Docket No.: 05918-031009 / VGCP 2966

The undersigned attorney remains available for conference by telephone, should the Examiner feel that further dialogue and/or amendment would put the claims in better condition for allowance.

No fees are believed due, as this is being filed on the first business day following the three-month deadline for response. Please apply other charges or credits to deposit account 06-1050, referencing the above attorney docket number.

Respectfully submitted,

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